

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/25/10</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
RICHARD D. MEADOW,
:
:
Plaintiff,
:
:
-v-
:
:
FIFTH ON THE PARK CONDO, LLC,
:
Defendant.
:
:
----- X

10 Civ. 3128 (DLC)

ORDER

DENISE COTE, District Judge:

By Order dated April 30, 2010, plaintiff was ordered to show cause why this action should not be dismissed for the reasons stated in Bodansky v. Fifth on the Park Condo, LLC, No. 09 Civ. 4651 (DLC), 2010 WL 334985 (S.D.N.Y. Jan. 29, 2010) ("Bodansky"). On May 14, plaintiff filed its response to the April 30 Order and requested that this action be stayed pending the outcome of the appeal in Bodansky. Plaintiff's sole argument is that a stay would be in the interest of judicial economy. For the reasons stated in Bodansky, it is hereby

ORDERED that this action is dismissed. The Clerk of Court shall close the case.

IT IS FURTHER ORDERED that plaintiff shall serve a copy of this Order on defendant forthwith.

SO ORDERED:

Dated: New York, New York
May 25, 2010



DENISE COTE

United States District Judge